

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

INDERPAL SINGH, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

YUHE INTERNATIONAL, INC., GAO
ZHENTAO, HU GANG, JIANG YINGJUN,
PETER LI, LIU YAOJUN, GREG HUETT,
HAN CHENGXIANG, CHILD VAN
WAGONER, & BRADSHAW, PLLC, ROTH
CAPITAL PARTNERS, LLC, RODMAN &
RENHAW, LLC, and BREAN, MURRAY,
CARRET & CO.,

Defendants.

Civil Action No. 11-CV-4526

**MEMORANDUM OF KEVIN CARROLL
IN RESPONSE TO COMPETING MOTIONS
FOR APPOINTMENT AS LEAD PLAINTIFF**

Kevin Carroll respectfully submits this Memorandum in response to all other motions for appointment as Lead Plaintiff.¹ The Private Securities Litigation Reform Act of 1995 requires the Court to appoint as Lead Plaintiff the person or group of persons with the largest financial interest in the litigation that otherwise satisfies the requirements of Rule 23 of the Federal Rule of Civil Procedure. 15 U.S.C. § 78u-4(a)(3)(B)(iii).

¹ Two additional and factually similar securities class actions have been filed in the U.S. District Court for the Southern District of Florida and the U.S. District Court for the Central District of California. These actions are *Wilson v. Yuhe Int'l Inc.*, No. 1:11-cv-22305 (S.D. Fla.), filed June 24, 2011, and *Feyco v. Yuhe Int'l Inc.*, No. 2:11-cv-05511 (C.D. Cal.), filed July 1, 2011. Carroll has filed memoranda substantially similar to this one in the Southern District of Florida and the Central District of California.

Carroll, through his undersigned counsel, has reviewed the submissions of the other movants seeking appointment as Lead Plaintiff. It appears that several other movants assert larger financial interests than Carroll. In the event that the Court declines to appoint any of those movants for any reason, Carroll remains willing and able to serve as Lead Plaintiff and to prosecute this case in the best interests of the class.

Dated: September 6, 2011

Respectfully submitted,

BERMAN DEVALERIO

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